IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.34122 of 2008
SUBHASH RAM & ANR
Versus
STATE OF BIHAR
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2. 27.8.08 Heard Mr. Sachchidanand Choudhary for the petitioner, and Mr. A.N. Mohan, learned A.P.P. The two petitioners, namely, Subhash Ram and Sohrai Ram, who are full brothers, seek bail in Shahppur P.S. Case No.135 of 2007, registered under sections 302/34 of the Indian Penal Code and 27 of the Arms Act, pending in the court of the Additional Chief Judicial Magistrate, Danapur. Learned counsel for the petitioners submits that the F.I.R. was against unknown. The dead-body of Ranjit Kumar, full brother of the informant, was found lying near the railway tracks. He also submits that it is a case of circumstantial evidence and progress of the investigation does not involve the petitioners directly. It is a case of "might-have-been". He also submits that he is in custody since 12.4.2008.

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Learned Additional Public Prosecutor opposes the application and submits that the present petitioners are accused in Phulwari Sharif P.S. Case No. 829 of 2004, where the

said Ranjit Kumar, the deceased was prime witness, which is the motive for his murder. He also submits that the case diary fully supports the complicity of the petitioners and the motive for the crime is clear. On a perusal of the materials on record and consideration of the submissions of learned counsel for the petitioner, I am not inclined to release the petitioners on bail. It is accordingly rejected.

(S. K. katriar, J.)

Vinay/

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